

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

ELVIN ABREU-ALICEA,

Plaintiff,

v.

CIVIL NO. 16-1171 (PAD)

ESTADO LIBRE ASOCIADO, et al.

Defendants.

MEMORANDUM AND ORDER

On February 1, 2016, pro-se plaintiff Elvin Abreu-Alicea initiated this action with a Spanish-language complaint (Docket No. 3). On February 2, 2016, the court ordered him to file, not later than March 3, 2016, a certified English translation of the complaint, as required by law (Docket No. 4). It expressly forewarned him that “[f]ailure to comply may result in an order striking from the record the complaint and dismissing the case without prejudice.” Id. A review of the docket confirms that plaintiff has not complied with the court’s order.

On March 8, 2016, defendants moved to strike the complaint for failure to comply with the court’s order and Local Rule 5(g) (Docket No. 10). The court ordered plaintiff to respond to the motion not later than March 14, 2016 (Docket No. 11). To date, he has not done so.

Pursuant to 48 U.S.C. § 864, “[a]ll pleadings and proceedings in the United States District Court for the District of Puerto Rico shall be conducted in the English language.” Similarly, Local Rule 5(g) requires in part, that “[a]ll documents not in the English language which are presented or filed, whether as evidence or otherwise, must be accompanied by a certified translation into English prepared by an interpreter certified by the Administrative Office of the United States Courts.”

The First Circuit requires strict enforcement of the English-language requirement where the untranslated document is key to the outcome of the proceedings. Puerto Ricans for Puerto Rico Party v. Dalmau, 544 F.3d 58, 67 (1st Cir. 2008). To that end, it has explained that allowing the integrated federal courts system.” Id. As such, district courts should not consider those documents. González-De-Blasini v. Family Department, 377 F.3d 81, 89 (1st Cir. 2004).

Despite the term provided for plaintiff to submit the required document, he has not done so. Nor has he filed a request for extension of time to comply, with an acceptable explanation for the delay. In consequence, defendants’ request to strike the Spanish language complaint (Docket No. 10) is GRANTED. There being no complaint, dismissal of the case is warranted. Judgment shall be entered accordingly.

SO ORDERED.

In San Juan, Puerto Rico, this 16th day of March, 2016.

S/Pedro A. Delgado-Hernández
PEDRO A. DELGADO-HERNÁNDEZ
United States District Judge